

**COMMISSION CONFERENCE****FEBRUARY 6, 2001**

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**COMMISSION CONFERENCE****2:10 P.M.****FEBRUARY 6, 2001**

Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

**I-A – Code Enforcement Board Interviews**

The City Commission was scheduled to interview *Patricia “Pat” Hale*, *Larry Hayes*, and *Dan Matchette* for the two vacancies (one regular and one alternate) on the Code Enforcement Board, for three-year terms expiring January 30, 2004.

Ms. Pat Hale said she had lived in the Imperial Point neighborhood and served on its Association Board of Directors for about 8 years. She was the Chair of the Alliance of Northeast Homeowners’ Associations, representing 18 associations within Commissioner Katz’s district, which served as a source for information gathering. Ms. Hale stated that when she had served on the Imperial Point Board of Directors, the Association had created a “code violation hotline” to provide a means by which the Association itself could lodge complaints to take the onus off neighbors. She felt it was a continuing success, and she understood the Community Inspections Officer assigned to the neighborhood felt it was a definite advantage.

Commissioner Smith asked if some complaints had to be “thrown out” because they were not founded. Ms. Hale replied that some people complained all the time, but there were serious issues raised through the hotline. In fact, one complaint had been turned over to the Police Department relating to youngsters using scooters without helmets.

Commissioner Katz inquired about Ms. Hale’s views on businesses and homeowners’ associations that came before the Code Enforcement Board. Ms. Hale replied that she was an active homeowner representative and felt strongly about association efforts, but it was necessary to maintain a balance because neighborhoods depended upon area businesses.

Commissioner Hutchinson said she read a lot of meeting minutes, and it seemed as if the Code Enforcement Board granted a lot of extensions when it came to compliance periods. She asked Ms. Hale if she viewed that as a hindrance or as being helpful to the overall community. Ms. Hale replied that she felt there should be some limit as to how long people were given to bring their properties into compliance. She thought each case had to be considered individually, but she could not see deferring compliance for years, particularly where there were safety issues involved. Ms. Hale felt Fort Lauderdale was too rich in resources to allow its children to grow up in sub-standard housing.

Commissioner Moore asked Ms. Hale if she thought people should be cited for any violation of any section contained in the Code. Ms. Hale felt that if people continually violated the Code, they should be cited, but she was certain everyone had violated some Code at one time or another. She thought warnings could be issued initially as long as there was no “life and death” issue involved.



Mr. Larry Hayes said he resided in District IV, and he was active in his area civic association. He was also serving on a steering committee related to the State Road 84 Charrette, and he had recently been appointed to the steering committee for the Citizens Volunteer Corps (CVC). Mr. Hayes was very interested in seeing that Fort Lauderdale's neighborhoods developed for the betterment of their residents.

Commissioner Hutchinson asked Mr. Hayes' thoughts about granting extensions of ordered compliance dates. Mr. Hayes saw no benefit of allowing a violation to continue, although there might be circumstances in which an extension was justified. At that point, he felt penalties should be enforced because the law was in place for a reason.

Commissioner Smith said one of his concerns had always been that violations had not been properly prioritized in terms of enforcement. It seemed as if some inspectors were more concerned about window air conditioning units installed without permits rather than issues like trash on the swales or other "neighborhood ruining" violations. Mr. Hayes felt neighborhood appearance was important, but safety hazards should come first. Beyond that level, he felt there should be some system of priority assigned to more minor violations. He thought the public needed to know that these issues would be addressed in a systematic fashion.

Commissioner Moore asked Mr. Hayes if he thought citations should be issued if someone violated any section of the Code. Mr. Hayes felt that if there was a violation, it should be cited. He thought Community Inspection Officers should have the discretion to issue warnings if a violation was minor, but he felt citations should be issued for serious violations. Mr. Hayes did not believe the situation was completely "black and white."

Commissioner Katz asked Mr. Hayes how he would balance the needs of businesses and homeowners' associations. Mr. Hayes replied that if a business was interrupting the quality of life of homeowners, it should be addressed, particularly if the business owner seemed indifferent to those concerns.

Mr. Dan Matchette said he had lived in Fort Lauderdale since 1968, and he was active in the Shady Banks neighborhood. He had served on the Budget Advisory Board, and he had worked on the Downtown Charrette. Mr. Matchette had also been active in the Boys Club in the past, and he would be happy to serve on the Code Enforcement Board.

Mr. Matchette felt that the Code Enforcement Board's primary responsibility was ensuring the safety of the citizens and the obligations of the City. He thought the Board should also ensure that the City's ordinances were equitably enforced.

Commissioner Hutchinson asked Mr. Matchette if he thought the Board could have a more proactive role in the community by helping to prioritize violations and working more closely with the inspectors. She noted that this sort of thing was taking a lot of time at the Board meetings, which was kind of ridiculous. Mr. Matchette thought the Commission should direct the Board in its desires, but he believed the Board's job was to hear the cases presented and render judgment based on the well being of the public.

Commissioner Katz wondered how Mr. Matchette felt about violations that continued for months while neighborhoods were affected. Mr. Matchette thought that was a hard call without knowing the specific details because they provided the answers in such cases. He believed municipal ordinances had been given thought when adopted and should be taken seriously, although there were cases in which some discretion was in order. Mr. Matchette understood inspectors had a certain measure of leeway, but if a case reached the Board, it should be carefully addressed.

**Action:** Additional action to be considered under Item III-B – Advisory Board Vacancies.

### **I-B – Broward County Safe Parks and Land Preservation Program – Challenge Grants**

A discussion was scheduled on the recommended projects for application to the Broward County Safe Parks and Land Preservation Program Challenge Grants. The City Manager stated that staff and constituents had worked to put together a proposed list of projects for Challenge grants.

Mr. Vince Gizzi, Superintendent of Special Facilities, stated that Fort Lauderdale was eligible for 3 grants of up to \$500,000 each, with a 25% match. In addition, the City was eligible for 1 Swim Central grant of \$1.5 million with no matching funds. He stated that applications had to be submitted to County staff by March 1, 2001. During March and April, County staff would review the applications for submission to its Parks & Recreation Advisory Board, which would review them in April and May. Mr. Gizzi expected applications to be presented to the County Commission in June. He added that if a project was estimated to cost less than \$200,000, matching funds were not required, but a 25% match was required if projects cost more than \$200,000.

Commissioner Smith understood the County's Citizens Committee would not be considering Challenge grant applications. Mr. Gizzi agreed that was correct. He explained that the Citizens Committee would be considering the expenditure of bond monies for land acquisition only. The County's Parks & Recreation Board would be dealing with the Challenge grants. Mr. Gizzi explained that consensus on the projects to be submitted was necessary from the Commission.

Commissioner Moore understood staff was asking the Commission to select 3 of the 6 projects listed in Memorandum No. 01-75. Mayor Naugle noted that staff's recommendation was to submit applications for Carter, Bayview and Riverside Parks. Staff also recommended that the Swim Central grant be used at Riverland Park.

Commissioner Moore said he had received a call from the L.A. Lee Branch of the YMCA, which was also interested in the Swim Central grant. He asked if that entity could make a request on its own, or if it could only be considered as one of the City's requests. Mr. Gizzi said it was his understanding that applications had to be submitted for the City. Commissioner Smith had thought that non-profit organizations could apply separately with a municipal sponsor. Mayor Naugle pointed out that those applications would be competing against the City's applications for the funding. Mr. Gizzi believed each municipality could submit only 1 request for Swim Central funding, and that the requests had to be endorsed by the applicable City.

Commissioner Moore supported staff's recommendation as to Riverland Park due to the fact that there was a lack of swimming pools in the area, but he hoped there was some way the City could assist the YMCA. It was the consensus of the Commission to approve an application for Swim Central funds to be utilized at Riverland Park.

Commissioner Hutchinson asked why a possible Swim Central grant for Riverland Park would delay the park construction for 9 months. Mr. Pete Sheridan, Assistant City Engineer, explained the delay involved the Swim Central funding process because it would not be cost effective to bid part of the project without including the swimming portion if the grant was awarded to the City.

Commissioner Moore saw no reason to delay the park construction. He understood that if the pool was developed, it would be constructed at one end of the Park while the rest of the work would take place elsewhere. He believed there were 2 different designs, and he would not support any delay in the City's park project. Mayor Naugle agreed a design could be developed that would allow a pool to be "dropped in" later if the grant was forthcoming. The City Manager stated that staff would proceed with the Riverland Park design as directed.

Commissioner Katz asked if staff's recommendation as to the Challenge grants were listed in priority order, and she inquired about the chances of Fort Lauderdale receiving all 3 grants. Mr. Gizzi stated that the City had to submit its applications in priority order as decided by the City Commission. Mr. Sheridan stated that staff felt the City had a more than better chance of getting all 3 projects funded based upon conversations with County staff. However, they had requested that the projects be prioritized.

Mayor Naugle questioned the notion that every City in the County would receive 3 Challenge grants. He pointed out that Lazy Lake, for example, was a very small community. That was Mr. Gizzi's understanding. Commissioner Katz was concerned about that idea because it might mean some important projects would not be funded at all. She said she could make a "pitch" for Bayview Park, and Commissioner Hutchinson could make a pitch for Riverside Park. Commissioner Moore said that was the reason he was concerned about prioritizing the projects because he could make the same pitch for Carter Park.

The City Manager did not believe every municipality in Broward County would submit 3 applications and, even if they did, there was no guarantee that all 3 would be funded. He noted that Mayor Naugle had used Lazy Lake as an example. He believed such communities were more interested in the land acquisition side of the bond issue than the Challenge grants. The City Manager stated that County staff had been careful not to guarantee anything, but they had been very encouraging about the 3 Fort Lauderdale projects mentioned.

Commissioner Smith thought the fairest way to establish priorities among the 3 projects would be to flip a coin. Commissioner Moore suggested consideration of the regional park aspect of the issue. Mayor Naugle suggested drawing cards because all 3 of these projects were important to Fort Lauderdale. Commissioner Moore felt Carter and Riverside Parks had regional features while Bayview Park more of a community park and located close to Holiday Park. The Commission agreed to prioritize the projects based on a random drawing, and the result was:

1. Bayview Park
2. Riverside Park
3. Carter Park

Mr. Sheridan referred to the International Swimming Hall of Fame (ISHOF). He stated that the City had parks bond money that could be used for a match, and this was an international forum that drew people from all over the County and all over the world to use this facility. Mr. Sheridan advised that County staff had recognized that this could be a potential revenue draw as a regional facility, and there were still City parks bond monies available for this project. In addition, the County was interested in leveraging its bond monies, perhaps through some type of partnership with the City. Commissioner Smith asked how much money was being considered for the ISHOF. Mr. Sheridan replied that staff had been discussing a request for \$1 million.

Commissioner Moore asked how the 5 regional park projects listed in the memorandum would be handled. Mr. Sheridan explained that these were not part of the Challenge Grant Program, but staff was hoping the County would recognize the regional nature of these facilities for inclusion in funding available outside of that Program. Commissioner Moore felt Mills Pond, Snyder and Holiday Parks were all regional facilities. He suggested that those items also be included on the "wish list" related to regional facilities. Mr. Sheridan did not believe Snyder Park would be considered a regional park from the County's viewpoint. He explained that regional facilities were considered to be those that drew patrons from the entire County population.

Commissioner Moore pointed out that Mills Pond Park was located in the center of Broward County. Mayor Naugle agreed and noted that it was directly adjacent to I-95. Mr. Sheridan believed the County's viewpoint was that this park provided an isolated use – softball – as opposed to many uses. Nevertheless, he advised that staff could include it in the list of proposed regional park projects. Commissioner Moore felt Snyder and Holiday Parks should be added as well. Mayor Naugle and Commissioner Hutchinson agreed.

Mr. Gizzi advised that the process would involve the City submitted narratives about the need for the various facilities proposed for development. He stated that any preliminary designs would be included, but the process was more of a narrative format.

Commissioner Moore noted that Holiday Park was shown as a potential regional park project, but the scope of the project was quite small as compared to amenities suggested for Mills Pond Park. Commissioner Smith believed Holiday Park was viewed as a regional facility because of its size, its location, and its historical value. He understood it was about 100 acres. Commissioner Moore inquired as to the size of Mills Pond Park, and Mr. Gizzi believed it was about 60 acres.

Commissioner Moore suggested that the reconstruction of the lawn bowling green at Holiday Park be included in the amenities listed under the regional park project. Mayor Naugle noted that lawn bowling was something of an international activity, and the British enjoyed it in particular. Commissioner Smith asked if there was a limit on the number of applications that could be submitted for regional facilities. Mr. Sheridan replied that no indication had been made that there would be a limit, but no indication had been made as to how many would be successfully funded either. He noted that the City could ask for funding for as many projects as it wished, but there was no guarantee of success.

Commissioner Moore felt that the narrative applications should specifically point out that Fort Lauderdale was contributing 17% of the \$400 million bond issue. Commissioner Smith believed the County Commission had also received letters from citizen volunteers with a focus on that point as well.



Commissioner Smith pointed out that there would be greater and greater difficulty locating appropriate areas for watersports in Broward County. He felt a watersports park in Fort Lauderdale could be a regional draw if a location could be identified. Commissioner Moore was unfamiliar with the Harmon Cultural Enhancement Park listed as the fifth regional park project. Commissioner Hutchinson believed it was near Westside Elementary School. Commissioner Smith said it was next to the Police Department where the art village was envisioned, and a cultural center was proposed.

Commissioner Moore thought that once a decision had been made as to where water skiing would be allowed, consideration could be given to a water sports park. Commissioner Katz asked if there were places in the County now for water sports. Commissioner Smith believed there were only "tow rope" facilities such as those at Quiet Waters Park. He thought an area could be dredged so the County could construct a regional water sports park. Commissioner Moore liked the idea.

Commissioner Smith advised that he had been appointed to the County's Acquisition Committee through the Broward League of Cities.

Commissioner Hutchinson referred to the green spaces listed in the back-up memorandum and questioned the location of the Citrus Isles Community Park parcel. Mr. Sheridan advised that the County had identified that vacant parcel as a possibility for preservation as open green space. Commissioner Hutchinson stated that it was located at a dead end street, so it would be more of a "street park" rather than a destination point. She thought it would only benefit one of the Isles, and if it did become a destination point, there would be traffic problems. Commissioner Moore suggested it be removed from the list. There were no objections to its removal.

Commissioner Moore referred to the listed conservation lands and suggested some of those also be included under the green space category. He felt, for example, that the Sistrunk Home could be considered both a conservation area and a green space. The same was true of the North Fork Riverwalk/Greenway. Mr. Sheridan explained that the County had certain criteria, and it was operating an environmental preservation land acquisition program. He stated that the intent was to preserve wetland nature areas first, and then consider areas that might have some residual benefit, followed by reclaiming some open space from development. Mr. Sheridan believed the County was attempting to acquire any "virgin" land with any kind of residual benefit, and he did not think there was any problem with listing the same areas twice if that was the Commission's desire. He stated that the County would be seeking willing sellers and viewed this as the last opportunity to create and preserve open space from development. Mr. Sheridan added that the City's Real Estate Office was also going to try to help the County identify willing sellers in Fort Lauderdale.

Commissioner Hutchinson said she had become aware of a drainage problem in River Oaks, and the neighborhood had approached County Commissioner Rodstrom about acquiring a small piece of environmentally sensitive land west of Southwest 19<sup>th</sup> Avenue just east of I-95, bordering Pond Apple Creek Apartments and the New River. Mayor Naugle believed that was the RBF Plat. Commissioner Hutchinson believed this parcel would be necessary eventually for drainage, so she suggested that parcel be included on the list. Mr. Sheridan thought the County had already identified that parcel, but he would ensure that was the case. Mayor Naugle noted that the Edgewood parcel was also a beautiful property.

Commissioner Katz referred to the open space category. She was concerned that little effort would be expended on locating areas in the northeast for parkland. Commissioner Katz stated that there was property opposite the Galt Community Center, which could be made a part of that project. There was also a large piece of property on Northeast 37<sup>th</sup> Drive that belonged to the Coral Ridge Country Club, and it had been empty for many years. Commissioner Katz thought that property had good possibilities for a park in the northeast area next to the golf course.

Commissioner Katz referred to conservation lands. She had been told the original list included a piece on the northeast corner of Northwest 21<sup>st</sup> Avenue and 62<sup>nd</sup> Street. Commissioner Katz asked staff to reconsider that site. Mr. Gizzi understood it was across the street from Palm Aire Village Park. As a point of information, Commissioner Katz also understood a gas station was being constructed across from the well field at the southwest corner of State Road 7 and Prospect Road. Mr. Sheridan said he would discuss these sites with the County.

Commissioner Moore suggested that Mills Pond be removed from the list of conservation land because the owner could not develop it in any case. Mayor Naugle agreed. He pointed out that there was no access to the property. Commissioner Moore did not think anything was more important than reclaiming the Sistrunk property, and he was particularly fond of the Major William Lauderdale Park parcel. He wanted to remove Mills Pond from the list and include the other properties on both lists.

Mr. Gizzi stated that the County's Parks & Recreation Advisory Board would be reviewing the Challenge Grant applications, and the City's Recreation Superintendent, Mr. Steve Person, was the Chairman. Commissioner Smith understood that Board would be reviewing requests for bond money beyond the Challenge grants. Mr. Gizzi agreed that Board would consider the Swim Central requests and the applications for regional projects.

Commissioner Smith stated that there was some acreage owned by the State at Northeast 4<sup>th</sup> Avenue and Sunrise Boulevard, and he felt that property should be preserved. He believed the State was considering construction of a juvenile detention facility on the site. Commissioner Moore did not understand why it would be a good idea to acquire that land since it was already publicly owned. Commissioner Smith just thought it would be good if the site was taken out of consideration for another jail. Commissioner Moore agreed, but he did not see why it was necessary to spend money on it. Commissioner Smith believed that if the property was not taken out of the State's hands, that use would be considered eventually.

Mayor Naugle felt that area needed a cultural facility. Commissioner Moore suggested that the compost plant be considered as a site for a juvenile detention facility. Commissioner Smith thought it would be a good idea to make that suggestion to the State. Commissioner Moore wondered if the federal government had provided a ruling on the compost plant site.

Commissioner Smith had a philosophical problem with placing the Hyde Park site on the list. He noted that the voters had been willing to spend up to \$8 million on that site, but he did not think the taxpayers were willing to spend more tax dollars albeit from another government entity. He did not object to additional monies coming from the Seminoles or from the private sector, but he did not think any more public money should be spent on that site. Commissioner Moore agreed.

Mayor Naugle did not mind leaving the Hyde Park site on the list. Commissioner Katz agreed it was worth a try. Commissioner Moore was concerned that it might become a greater priority than other areas. He agreed with Commissioner Smith that it would compete with other need. Commissioner Hutchinson did not think it was likely to rise to the top of the list. Mayor Naugle did not think so either, but he preferred to leave it on the list in order to keep the options open.

Commissioner Hutchinson asked if a list of the Committee members could be provided. The City Manager did not believe all the appointments had been made yet. Mr. Gizzi believed Commissioner Smith had been nominated by the Broward League of Cities, and he had been told that a short list had been developed for consideration by the County Commission today. The City Manager understood Tom Tapp was on the short list.

**Action:** Approved as discussed.

### **I-C – Residential Units in the Downtown Regional Activity Center (RAC)**

An update was scheduled on the remaining number of residential dwelling units in the Downtown RAC. The City Manager noted that an exhaustive memorandum had been distributed in this regard. He stated that there had been a lot of activity related to this issue in recent weeks, and he thought that was good news in terms of speeding up the process.

At 3:02 P.M., Commissioner Moore left the meeting. He returned at 3:04 P.M.

Mr. Chris Wren, Manager of Community and Comprehensive Planning, displayed a graphic identified as “50A” showing the downtown area. He advised that Commissioner Smith had met with Planning Council member, Gerry Cooper, and the Broward County Planning Council Administrator, Susan Tramer. He had also met with County Commissioner Rodstrom, and they had come up with an idea on which Commission consensus was sought today. Mr. Wren stated that the idea was to amend the Flexibility Zones. He explained that the City was covered with these zones and inside them were residential reserve units and flex units that could be used on top of the existing density allowance. Mr. Wren clarified that if a property was allowed a density of 15 units per acre, it could be increased through use of these units, although he could not remember that ever having been done despite the fact that it was available.

Mr. Wren stated that the proposal was to move the flexibility zones into the downtown and overlay them by adopting a resolution that would be sent to the Planning Council and the County Commission. He explained that would free up those units for use in the downtown area. He stated that a zoning change would be necessary in order to allocate those units to the downtown, so the process was estimated to take 4 months. Mr. Wren said this would free up the reserve units right away once the process was completed, and that would require amendment of the Land Use Plan and the Zoning Code. He believed that whole process would take about 9 months.

Mr. Wren explained that the idea was to take Flex Zone 49 and overlay it north of Broward Boulevard, and overlay Flex Zone 55 south of Broward Boulevard. Once done, 268 reserve units from Zone 49 and 112 units from Zone 55 would be available in 4 months, and 4,500 units would be available in 9 months. Mr. Wren recommended that staff be authorized to go forward with this process, with all of the reserve units moved into the downtown area.

Mayor Naugle inquired about the difference between the number of units available today and the number that would be available at the end of the process. Mr. Wren explained that the City would have to designate the number of units that would be allocated to the downtown, although the majority would not be available for 9 months.

Commissioner Smith felt this was a superior plan because his constituents in Zone 49, and probably those in Zone 55, did not want additional density. However, new development was needed in the downtown area. This would allow the density to be placed where people wanted it, and Commissioner Smith viewed it as a “win, win” situation. Commissioner Moore agreed this made more sense than the approach considered previously, and he commended staff.

Mayor Naugle asked how the Planning & Zoning Board felt about the proposal. Mr. Wren advised it had not yet gone to the Board, but Gerry Cooper was a member of the Board and had been involved in development of the idea. Mayor Naugle understood the matter would go to the Board, and then an ordinance amendment would be presented to the Commission.

Commissioner Katz asked if there were any other “hoops” in the process. Mr. Wren replied that both amendments were recommended as outlined, and the final recommendation involved a longer-term study that would take about 2 years. He noted that the first step required a resolution of the City Commission, but it could be presented to the Planning & Zoning Board first if that was the Commission’s desire. He advised that would add another month to the process.

Commissioner Katz believed the 9-month scenario was probably the best case, and that process could take longer. Mr. Wren agreed it was a possibility. However, there was a lot of support. Commissioner Smith wanted to explore the option of having a consultant prepare the early study before going to the Planning Council. He was afraid City staff already had its hands full and, since this was in the CRA, there was a funding source. Commissioner Smith believed that would expedite the process. Mr. Wren advised that CRA funds could not be spent outside the CRA boundaries. He noted that there was a need for a traffic engineer because his staff did not have the necessary expertise for that type of analysis. Therefore, staff was exploring the possibilities of retaining a consultant, and the DDA might be willing to assist financially.

Commissioner Moore thought that if the City was going to hire a consultant, there were probably a number of far reaching needs that should be addressed. Commissioner Smith felt this was an identified, urgent issue. He stated that there were –769 units, and there were real projects that could not be developed as a result.

The City Manager stated that staff was in the process of formulating a recommendation as to how all of these needs could be met. He asked that he be allowed to present the resolution on February 20, 2001 and, at that time, he would provide a plan for the necessary resources. Mayor Naugle said he would feel better if the Planning & Zoning Board examined this before adoption of the resolution. Commissioner Hutchinson agreed. Commissioner Smith had no objection as long as it did not slow the process. He suggested that the Board be requested to have a special meeting for the purpose. It was agreed.

**Action:** Approved as discussed. Planning & Zoning Board to hold special meeting.

**I-D – School Board of Broward County – West Side School  
Administrative Facility in Sailboat Bend and South Side School**

A discussion was scheduled about the School Board of Broward County's efforts to declare surplus and sell the West Side School Administration Facility and South Side School sites. Mr. John Wilkes, Chairman of the Education Advisory Board, stated that most of the schools in Fort Lauderdale were either at or over capacity at the present time and, based on the previous discussion, there would be new citizens as development occurred. He advised that the School Board had decided the two subject school properties were surplus, but he believed Fort Lauderdale had need of those facilities now and in the very near future.

Mr. Wilkes stated that South Side School was on 4 acres adjacent to a park, and he thought it was important to preserve this excellent school site. He pointed out that once it was gone, it could never be replaced. Mr. Wilkes stated that the Board would be hearing from Broward County Public Schools and the Planning Council about how school population projections were formulated, how needs for new school or facilities or improvements were determined, and proposed changes in the County's land use plan relating to schools. He explained that the intent was to bring the Board to a more fully informed position on the City's evolving public school needs.

Mr. Wilkes understood that Requests for Proposals (RFPs) had been issued today. Ms. Leslie Carhart, Administrative Assistant II, stated that the RFP involved 6 sites, with 2 being Fort Lauderdale. She stated that municipalities would then be given 60 days to match the highest bids. Mayor Naugle understood the land use issues would be worked out later depending on what the proposers wanted to do with the properties. Mr. Wilkes understood the awards would be subject to the proposers getting their own land use.

Commissioner Hutchinson said she had watched the School Board make too many mistakes. There were 2 schools in her neighborhood. One had a 12-acre campus with an elementary school built in the 1950s, but it had been closed. She stated that Croissant Park was overcrowded, and portables were just brought in instead of reopening the elementary school. Commissioner Hutchinson advised that there had been a blue ribbon middle school in the neighborhood, but that building was being used for adult education as well. She did not think the School Board was making good decisions, and she agreed with the Education Advisory Board. She thought the City should do everything possible to prevent the sale of the South Side School and to encourage the School Board to consider the long term.

Mayor Naugle believed Edgewood had closed for several reasons. In addition to enrollment being down at the time, there had also been problems with Airport noise. Insofar as Rogers Middle School, he believed the Airport noise had been one consideration, but he agreed with the Board. He felt the City should at least get a commitment that the funds would not disappear. Commissioner Katz wondered if the City could do anything to stand in the way of the School Board as to these facilities. The City Attorney stated that it was School Board property, and the City could do nothing as long as the internal processes and controls were adhered to.

Commissioner Smith understood the properties were zoned for schools. Commissioner Katz believed the properties were zoned CF, so the owners would have to seek rezoning from the City. The City Manager believed the RFP noted the zoning and land use. Commissioner Katz asked if the City had the right of first refusal. Mr. Pete Witschen, Assistant City Manager, said he had been informed that was included at least as to Westside property.

Commissioner Moore understood the Board's rationale and appreciated their efforts, but he did not agree with its strategy for several reasons. He pointed out that the School Board was a public entity that would do whatever it considered was in its best interests. Commissioner Moore did not think this Commission would, for example, do something it did not feel was in the City's best interests if the School Board tried to dictate how City property was utilized.

Commissioner Moore believed there were a number of existing school sites that were not being used to their fullest advantage because they were not 2 stories. He thought some of those locations could be expanded, and he understood the purpose of requiring 8-acre elementary school sites was to accommodate a particular design. Commissioner Moore felt consideration should be given to some different design within urban environments where less land was available.

Commissioner Moore noted that there were a number of schools in Fort Lauderdale that were under-enrolled for some reason. He thought the Board should consider the School Board's "tag zones." It was his understanding that parents could select any school within a tag zone for their children without boundary considerations. Commissioner Moore was encouraged by the Board's suggestion to help promote existing schools in Fort Lauderdale. He believed, for example, that Northfork could be a "downtown" school.

Mr. Wilkes reported that Northfork, Sunland and Bennett Schools were under-enrolled. Commissioner Moore pointed out that there was a lot of open space at Northfork, and he believed additional classrooms could be provided in that location if designs were reexamined. He also understood there were a number of portables at Walker Elementary School, and he believed capacity could be increased with the appropriate design. Commissioner Moore believed that certain design concepts could be utilized to reopen schools where Airport noise was an issue. His concern was that current design guidelines made schools in urban areas either too expensive or unworkable altogether. Commissioner Moore suggested that the City's lobbyist take up this issue in terms of State guidelines.

Commissioner Moore stated that the School Board had recently purchased a site at 19<sup>th</sup> Street and 23<sup>rd</sup> Avenue for elementary and middle school development. He believed that if the design guidelines were addressed, that site could provide additional classrooms. Commissioner Moore wondered if the Education Advisory Board had ever considered the design of existing schools. Mr. Wilkes replied that the Board had discussed the Stranahan site, for example, and he felt the issue now was the criteria used to determine the need for schools. He thought developers should have to provide counts as to how many new students would be generated by a particular development. Mayor Naugle believed the Las Olas Grand had computed that there would only be 3 students going to Walker Elementary School.

Commissioner Moore stated that the South Florida Regional Planning Council was reviewing development impact, and a development in Kendall with 235 units had been discussed yesterday. The number of new students had been estimated, and those calculations had been challenged because they were based on the cost of the units. He believed the greatest opportunity for success would be to examine the design guidelines.

Mayor Naugle suggested that funds be earmarked for land acquisition or school construction. Commissioner Moore had no objection to making that request of the School Board. Mayor Naugle thought that if the School Board was going to sell of the subject properties, it might be willing to commit funds for other schools within the City. He recalled an idea about making the Stranahan campus a 12-year school.

Commissioner Smith asked if the Board knew what Fort Lauderdale's current elementary school needs involved. Mr. Wilkes replied that there were only 3 under-enrolled elementary schools in Fort Lauderdale, but all of the middle schools were over capacity. Commissioner Smith wondered if 6<sup>th</sup> graders could be moved to elementary schools to address that issue. Mr. Wilkes believed the elementary schools were only under-enrolled by about 150 students. He pointed out that a single development containing 4,500 units would eliminate that under-enrollment. He did not feel school land should be sold.

Mr. Wilkes explained that the School Board operated on a 5-year capital expenditure program, and that was too slow to accommodate new development, particularly if school sites were disposed of. Commissioner Smith asked if that concern had been communicated to the School Board. Mr. Wilkes replied that the Board could not do anything except ask the Commission to communicate these concerns. Commissioner Moore did not differ with the idea, but he thought the chances of success would be greater if designs were addressed rather than suggesting that the School Board landbank property to accommodate future needs.

Commissioner Smith understood a new middle school was coming online. Mr. Wilkes agreed a middle school was planned for the property at 19<sup>th</sup> Street and 21<sup>st</sup> Avenue. Mayor Naugle suggested that a list of unfilled needs at the different schools be presented to the School Board with a request that funds generated by disposing of the subject sites be directed to filling those needs. Mr. Wilkes thought land swapping was a good idea, and the Board would be presenting a recommendation in the future related to a lawsuit settlement.

Commissioner Moore did not think much could be accomplished if the design guidelines were not addressed for urban core areas where land was limited. Commissioner Smith suggested that the Mayor write to the School Board Chair about these concerns. Mayor Naugle thought a first step would be presentation as to the amount the School Board expected to generate by disposal of these sites and how that money would be spent to address changing demographics. Mayor Naugle thought the money should be used to purchase land around existing schools.

Commissioner Moore thought the Board should work with staff and the principals of the schools on an "arsenal" of needs and suggestions. At the same time, the City lobbyist could seek some method of addressing school design guidelines for better utilization of existing sites.

*Mr. Bennett Zarron* agreed with Commissioner Smith that 6<sup>th</sup> grade students could be moved into elementary schools. He stated that had worked well up north. He was also concerned because more and more people were moving to the beach area from out of the country with children, and he did not know how or if those students were being counted.

Mayor Naugle summarized that staff would work with the Board to develop a presentation for the School Board about all these concerns. The City Manager said he would be happy to work with the Board, although he was not clear on the priority the Commission wished to assign to this issue. Commissioner Hutchinson understood the RFP required proposals within 90 days. The City Manager believed there would be another 60-day evaluation period.

Commissioner Smith suggested that the School Board be put on notice by a letter from the Mayor that there were serious concerns and that a presentation would be provided. The City Manager said he could draft a letter for the Mayor's signature about the Board's concerns to be followed by a more substantial presentation. Mayor Naugle asked that someone also should be identifying land needs adjacent to existing schools in the meantime. Mr. Wilkes thought that was a good idea, and the school principals could provide some type of "wish list." Mayor Naugle noted that there were several schools in Fort Lauderdale where the money could be "neatly placed," and another school in an under-served area was Hott Elementary.

Commissioner Katz suggested that the City's School Board representative, Judie Budnick, should also be approached in this regard. Commissioner Moore noted that the March meeting was going to be held on a Thursday, so it would not conflict with a School Board meeting. He suggested that the School Board be invited to attend that March 15, 2001 meeting to discuss these issues. He thought the School Board probably had a certain rationale behind the decisions to declare these properties surplus.

**Action:** As discussed.

### **I-E – Senior Homestead Exemption Program**

As requested by Commissioner Smith, a discussion was scheduled on a Senior Homestead Exemption program for eligible residents. Commissioners Moore and Smith supported the idea as outlined in the back-up memorandum.

Commissioner Katz asked how much this would save a taxpayer. Mr. Terry Sharp, Assistant Director of Finance, stated that the average homeowner would save \$137.52 in City taxes, while others would pay \$2 more per year. Commissioner Katz was concerned about the impact of a \$210,000 reduction in City revenues.

*Mr. Charlie Radford*, a resident since 1979, stated that the County had been the first entity to adopt this program. He had saved \$200 or \$300 as a result, and he felt this would be a big help for senior citizens who met the established criteria. Mr. Radford thought the School Board should also consider this program because it and the County had the two largest budgets of the taxing entities.

Mayor Naugle said he would like to do this, but the City would be taking on some big expenses in terms of pension costs in future years. He was concerned about the timing in that respect, and he also wondered how this would impact the annexation picture.

The City Manager stated that the greatest budget impact related to labor agreements would occur in fiscal year 2001/2002. He explained that the idea was to shift the tax burden from the average eligible senior taxpayers to the average ineligible taxpayers to the extent of \$2.05 each per year so the budget would not be impacted.

Commissioner Katz wondered how many people would end up paying no City taxes at all. Mayor Naugle expected quite a few since the average assessment was \$150,000. Therefore, those with assessments of less than \$50,000 might not pay any taxes. Commissioner Moore supported the idea, although he understood there would be some individuals who would be paying for it. Commissioner Katz was concerned about the various needs in the City that might be affected.



*Mr. Ken Strand*, Nurmi Isles resident, thought the current Statewide Homestead Exemption meant that too many people in certain areas paid little or no taxes. There had been discussion about applying the Homestead Exemption to the second \$25,000 of assessed value rather than the first to address that concern. Mr. Strand felt everyone should pay something, and no one should be getting a “free ride.”

Mr. Zarron did not disagree, and it was a matter of structure, but he felt this was just another social service that taxes supported anyway. In this case, the subject was doing something for homeowners who typically never got any social money. Mr. Zarron did not think that the fact that these people owned property meant they did not need help as much as others, such as the homeless. Commissioner Katz wondered how much good an extra \$100 per year would do anyone, and Mr. Zarron thought it might be very helpful to some. Mayor Naugle said his mother would have qualified, and she would have appreciated the extra money.

Commissioner Katz was not unsympathetic, but she wondered if something less could be considered, perhaps up to \$25,000 in the beginning in order to assess the budget impact. Commissioner Smith was concerned because the elderly were not taken care of the way they should be in this country. It was not right, and he felt this was the City’s chance to change a little piece of it.

Commissioner Moore said he had always felt the formula for Homestead Exemption should have a different structure with the first \$25,000 in property value taxed, and the exemption applied to the next \$25,000. This, however, was a different situation in that it involved a means test. Commissioner Katz pointed out that there were only 9 cities in Broward County that had adopted this program.

Mayor Naugle reiterated his question about how this would affect annexation. The City Manager said he was awaiting data from Broward County as to the number of parcels that would qualify, and the information would be available before an ordinance was presented. Commissioner Moore did not know what difference it made because the burden would be shifted in any case. Commissioner Hutchinson asked if this had ever been presented to the Commission before. Mayor Naugle said it had not although he had requested a report. Commissioner Moore believed the voters wanted this program.

Commissioner Katz wondered if any of the Commissioners wanted to consider some lesser amount. Mr. Sharp stated that if the tax shift under the \$25,000 scenario was \$210,000, halving the exemption would involve a \$105,000 shift. Commissioner Moore pointed out that Commissioner Katz had already questioned the real value of an extra \$150 per year, and halving it would mean those eligible would only get half the relief.

**Action:** Ordinance to be scheduled on the Regular Agenda in the near future.

#### **I-F – Annexation of Melrose Park Area**

A discussion was scheduled on the location, demographics, projected revenues and expenditures related to the annexation of the Melrose Park area, in response to the local bill filed by the residents of such area for annexation to either the Cities of Plantation or Fort Lauderdale.

Mr. Romeo Lavarias, Planner III, advised that some of the previously distributed figures had been modified. He stated that the 1999 5-year budget analysis had been distributed because a proposal had been submitted about this annexation on short notice, and those had been the only figures available at the time. Mr. Lavarias advised that new figures had been obtained yesterday, and the 1999 budget had predicted a \$58,000 deficit in year one, followed by the City "coming out ahead" in subsequent years. The new figures, however, showed that the City would come out ahead beginning in year one because things had changed since 1999.

At 4:12 P.M., Commissioner Moore left the meeting. He returned at 4:15 P.M.

Ms. Jenni Clark, Assistant Planner, stated that the 1990 census data showed a population in Melrose Park of 6,477. The population was projected at 6,800 in 1999, but the census data had been used to make the calculations. Mr. Lavarias stated that Melrose Park had presented its bill, and the Delegation had approved sending the bill to the 2001 State Legislature. He noted that the bill had added a plan to show improvements to the area that would be made by the County. Another section had been added indicating that the City would provide its revenue neutral figures to the Delegation, the County would provide its figures, and any discrepancy would be made up by the Delegation in terms of land. Mr. Lavarias explained that where those lands might be or when they would be conveyed had not been "fleshed out" yet, so staff had certain concerns in that respect. Commissioner Moore understood that idea was an extension of the idea of deannexing some commercial properties, although no one was willing to say that, but he believed that was the intent.

Mayor Naugle asked what portion of "core" charges had been included in the figures, such as costs for a portion of the City Manager's salary, purchasing administration, etc. Mr. Lavarias advised that staff was putting those figures together, and three methodologies were being considered. For example, the total City budget could be divided by the population to come up with a per capita figure. He stated that the County had certain methodologies, and staff was exploring the issue to make the figures as accurate as possible.

Mr. Lavarias stated that another issue of concern was the "back out" option. He explained that the back out option was not included in this bill, so only Plantation and Fort Lauderdale would be listed on the ballot for selection. Commissioner Moore understood that, but the bill did state that the annexation had to be revenue neutral. Mr. Lavarias agreed that was correct. Commissioner Smith thought the problem was that revenue neutral could be defined differently. Commissioner Moore believed the definition would be up to the City. Mr. Lavarias agreed that was correct as well, and City staff had always been forthcoming and based its analysis on a five-year projection. Commissioner Moore thought that provided a level playing field.

Mayor Naugle inquired about having Lauderdale Isles as a "package deal" in the same budget year. The City Manager said his recommendation was that the effective dates in both annexations coincide. However, that had not been how the bill had been presented. He reported that the vote on Melrose Park was due to take place November 21, 2001, with a proposed effective date of 2002. Those in Lauderdale Isles were not scheduled to vote on annexation until November, 2002, with a proposed effective date of 2003. The City Manager stated that in conversation with members of the Delegation recently, the possibility of amending the bill once it reached Tallahassee had been discussed in order to have the two coincide.

Commissioner Moore did not understand why that was an issue as long as the annexations were revenue neutral. Mayor Naugle believed the other area made this area more revenue neutral. Commissioner Moore did not understand that because if an annexation was revenue neutral, it was revenue neutral. Mayor Naugle was sure that revenue was stronger in the Riverland area than it was in Melrose Park. Commissioner Moore had no indication that those in Riverland wanted to be annexed into Fort Lauderdale, but if an annexation was revenue neutral, he saw no reason why it should be "all or nothing."

Commissioner Smith thought that if a better bargain could be driven for Fort Lauderdale, it should be done. Commissioner Moore agreed. Mayor Naugle believed it would be advantageous if both areas were addressed at the same time. The City Manager agreed it would be advantageous, but the two bills were not predicated on one another. Mayor Naugle suggested that the lobbyist work on putting them together.

Commissioner Smith requested an explanation about the deannexation of State Road 7. Commissioner Moore explained that legislation existed that would make that very difficult. Although the liberty existed, it was his understanding that some sort of land swap could be utilized to make things balance. Commissioner Smith thought it made sense to get the commercial area on the east side of State Road 7 if Melrose Park was going to be annexed. Mayor Naugle agreed that would be better from a Code enforcement standpoint. He thought the Melrose Park residents wanted to come into Fort Lauderdale.

Commissioner Smith said he had been impressed with the improvements being made by the County in Melrose Park. Mr. Lavarias agreed improvements were being made, and the County's improvement plan could be included in the figures. Mayor Naugle noted that a park had been provided in the area through a joint effort of the City and the County. Commissioner Smith believed there was a community center in the area that was falling apart. Commissioner Moore stated that was an old civic association building, but it could be part of the deal as well. He thought it was important that Fort Lauderdale take that to the County first.

Mayor Naugle suggested some way of obtaining some of the County's parks bond land acquisition money for the Melrose Park area. He believed an acquisition was being considered at Riverland Road and State Road 7. Commissioner Moore noted that the City could also support the neighborhood's Challenge grant application and, while it made sense to support it, he did not want to make it a top priority.

Mayor Naugle understood everyone agreed it would be advantageous for the effective dates to be the same in Melrose Park and Lauderdale Isles. Commissioner Smith did not object to moving the other one up, but he did not want to move the Melrose Park annexation back. The City Manager advised that request could be made. Commissioner Moore wished to thank staff for a well done presentation.

**Action:** Approved as discussed.

**I-G – Woodlawn Cemetery Redevelopment Project**

A conceptual site plan and proposal for improvements at Woodlawn Cemetery was presented. Mayor Naugle believed the plan showed one of the graves outside the fence. Commissioner Moore agreed that was correct. Commissioner Moore noted that Horace McHugh had provided an excellent presentation at the recent community meeting in this regard. The City Manager proposed that the monies set aside for community efforts be accounted for in the Community Services Foundation.

**Action:**           Approved.

**I-H – Sanitation Rate Study**

A discussion was scheduled on the Sanitation Rate Study performed for the City by DMG Maximus. *Mr. John House*, of DMG Maximus, was present. Mr. Ed Udvardy, Manager of General Services, stated that the City had initiated a new program for the collection of garbage, yard waste, recycling, and bulk trash in December 1998. the new service levels included twice a week garbage collection in a smaller 65-gallon cart; once a week yard waste collection in a 90-gallon cart; weekly curbside recycling collection; and, monthly bulk trash collection. At that time, the need to review the current rate structure had been recognized, and a decision had been made to put the new service levels in place for a year in order to evaluate customer satisfaction first.

Mr. House explained that the rate study methodology used had included gathering on-site data and interviewing City personnel, determining the full costs of collection and disposal services by customer category, and structuring fees to meet the study purpose and objectives. He advised that there had been four guiding principles, including maintenance of current revenue levels, providing equitable rates, encouraging recycling, and ensuring that rates were in keeping with current rules and regulations governing rate collection.

Commissioner Katz asked if the legitimacy of extra costs had been examined. Mr. House replied that overall costs and how they were allocated had been examined. He noted that overhead costs had not been examined because the City had already done that, and those costs had been allocated. Commissioner Katz referred to Code enforcement as an example. Mr. House advised that the City's figures had been accepted, although a cost allocation plan within the Public Services Department had been performed.

Mr. House stated that full costing of operations had been examined within the defined parameters, and maintenance of a revenue neutral position had been one of the major criteria. He explained that there were two levels of services that had been examined – direct services to cart customers and common services provided by the Department to all City citizens. Mr. House advised that 82% of the total costs were direct Departmental costs, and 2% were overhead costs. Therefore, 84% of the costs were Sanitation Department costs, and 16% were for Wingate remediation and departmental support costs. He noted that almost \$18 million were budgeted costs, and another \$546,000 involved customer services, engineering, building and equipment depreciation, and the like. Mr. House advised that these costs were not budgeted, but he felt those costs should be recovered.

Commissioner Katz understood the Wingate remediation costs were basically a “wash.” Mr. House agreed revenues covered those costs. Mr. Ed Udvardy, Manager of General Services, explained that whatever revenues were generated were then directed toward that project, so it was a neutral position. He stated that the consultants had examined everything the Sanitation Division did and all the costs associated with those operations. They had considered the current budget and all the things that should be attributed to Sanitation but currently were not. He advised that the differential had been about \$546,000.

Commissioner Smith asked Mr. Udvardy to explain the formula utilized for Code Enforcement Officers. Mr. Udvardy explained that \$650,000 had initially been established when the Clean City Program had been implemented 10 years ago. At that time, a study had been performed as to how much of Code Enforcement Officers’ activities were related to sanitation and Clean City efforts. Commissioner Smith understood this related to such things as illegal trash piles. Mr. Udvardy agreed that was correct, and other such activities included lot clearing. Commissioner Smith understood the cost of lot clearing was charged to the property owners. Mr. Udvardy advised that only about half the cost was actually recovered. Commissioner Smith found that troubling. Mr. Udvardy noted that this percentage was up from about 20% or 30%, and sometimes bills were reduced through the hearing process.

Commissioner Smith did not think the City was working hard enough in this respect. Commissioner Moore was not sure what else staff could do because the City could not turn off someone’s water because they had not paid a lot clearing bill. Commissioner Smith desired a report on cost recovery for illegal trash piles. He did not like the idea that the City was only recovering half the costs.

Commissioner Katz referred to page 12 of the report that indicated one could conclude that charging the full cost of services as determined by the study would be excessive since the Sanitation Fund was already burdened with the cost of common services. Further, there was some question as to whether the \$650,000 charged to the Sanitation Fund for Code Enforcement was fully justified on the basis of the services actually provided.

At 4:43 P.M., Commissioner Moore left the meeting. He returned at 4:45 P.M.

Commissioner Katz said her concern was that this was the first of several costs that she questioned when staff came to the Commission with a proposal to raise sanitation rates. Mayor Naugle noted that raising property taxes was an alternative. Commissioner Smith thought the City could also collect the revenue due from the “scofflaws.” Mr. House noted that the \$650,000 was budgeted for that purpose. Commissioner Smith asked how much the front line Code Enforcement Officers were paid. Mr. Terry Sharp, Assistant Finance Director, believed the cost was approximately \$50,000 per officer with benefits, and there were 18 on staff at this time. Mr. House did not believe those officers were all dedicated to sanitation activities. Mr. Pete Witschen, Assistant City Manager, agreed that was correct although trash and sanitation had a high priority.

Mayor Naugle believed that raising rates at the trash transfer station would only result in more illegal dumping. Mr. House agreed that could happen if rates were raised too much. Mr. Udvardy stated that there was currently a \$10 fee to dump. Commissioner Smith noted that higher fees could be charged to non-residents. Mayor Naugle pointed out that there was a need to relocate the station.

Commissioner Smith raised the issue of palm frond collection in the Las Olas Isles. Mayor Naugle pointed out that many of the fronds came from City property in that area. Commissioner Smith thought it was probably appropriate to collect for frond collection. Commissioner Moore wondered how that could be handled. Mr. House advised that a charge of \$7.50 per month, per household, could be charged. Mayor Naugle did not know how the City could identify which households to charge. Mr. Udvardy believed the only practical way would be to charge the entire neighborhood. Mayor Naugle pointed out that some people did not have Royal Palm trees, and the trucks had to be out there in any case because there were palm trees on City property.

Commissioner Smith asked if a breakdown of costs could be provided for collecting palm fronds. Mr. Udvardy said a report could be provided as to the cost of removing palm fronds on public property. Mayor Naugle understood the majority of the Commission wanted to charge Las Olas Isles residents more than other City residents. Commissioner Katz believed those residents were receiving a service that other residents were not. Commissioner Hutchinson wondered how anyone knew the cost was \$7.50 if the breakdown of costs had not been provided. Commissioner Smith thought there were probably other neighborhoods that had lots of Royal Palms, and the fronds were very large and fell often. Mayor Naugle believed a large part of the \$107,000 cost was due to the trees on public property. Mr. Udvardy advised that staff could come back to the Commission on this particular issue.

Mr. House referred to the collection of trash piles. At present, collection of from 1 to 10 cubic yards cost \$160, plus another \$13 per cubic yards over that amount. A 50% increase was recommended to \$240. Mayor Naugle thought the problem with that were people who were victims of illegal dumping. Commissioner Moore pointed out that those individuals could dump at the trash transfer station for \$10. Commissioner Smith noted that they could also move the material until the regular bulk trash collection day. Commissioner Moore said his point was that this service was an option, but people did not have to call for a special collection. Commissioner Smith agreed people were victims of illegal dumping, but this was a responsibility of property ownership, and the dumpers could be arrested when caught. It was the consensus of the Commission to support this recommendation.

Mayor Naugle supported cost recovery from the Parking Division. Mr. Udvardy stated that the Sanitation Fund had historically collected only \$70,000, and the recommendation would provide for full cost recovery. It was the consensus of the Commission to support this recommendation. Mayor Naugle understood that whatever revenues were gained could be used to offset the rate increase for single-family homes. Mr. House agreed that was correct, and the Commission supported the idea. Commissioner Smith felt that if there was money left over, instead of making a profit, it should be used for collection of the palm fronds.

*Mr. Ken Strand*, of Nurmi Isles, pointed out that the people living in the Las Olas Isles were paying a huge portion of the City's taxes and got little in return. He felt charging Isles residents for palm frond collection was a "back door" method of raising their taxes. Mr. Strand compared this concept to charging extra fees in areas of high crime. He recalled when there had been bulk collection twice a month, and that had been needed because of the landscaping. Mr. Strand also thought there might have been an agreement between area residents and the City in the beginning to collect the fronds.

Mayor Naugle wondered if area residents would pull the fronds behind the buildings until the monthly bulk collection day in order to avoid an extra fee. Mr. Strand thought a lot of people would do that. Commissioner Moore saw no reason, therefore, to provide an additional service for free. Mr. Strand did not feel this service should be taken away from the Las Olas Isles because Royal Palm trees were a vital part of the character of the neighborhood. He said he would do his best to stir up an uprising against this idea because he felt this area was entitled to this service in light of their tax payments. Commissioner Smith pointed out that there were other neighborhoods in the City that had Royal Palms, but they did not get this free service.

Commissioner Hutchinson understood Mr. Strand's concern, but there were other areas of Fort Lauderdale that would want the same service even if the trees in question were not Royal Palm trees. Mr. Strand believed that these fronds had been collected by the City since the Isles had been created.

Commissioner Smith thought that if additional revenues of \$200,000 could be generated, no rate increase would be necessary. He understood duplexes, which had been paying too much, would realize a decrease. Mayor Naugle believed there would still be a rate increase for single-family homes from \$29 to \$30. Mr. House clarified that there would be no rate increase beyond the figures shown in the equity chart. Commissioner Smith asked what it would take to eliminate a rate increase altogether. Mr. House replied that an additional \$450,000 to \$500,000 would be necessary.

Commissioner Smith wanted staff to find a way to manage without a rate increase for single-family homes. Commissioner Moore believed there was \$350,000 on the table right now, and another \$350,000 was necessary. Commissioner Smith recalled that the entire system had been changed last year in order to save money, and people had started to separate their yard waste from their regular garbage. Now, however, it was suggested that rates be raised anyway. The City Manager believed that had occurred in December, 1998. Mayor Naugle stated that water and sewer rates had gone up every year, but garbage rates had stayed the same.

The City Manager understood the Commission wanted to get back to some equity and see what could be done without raising rates for single-family homes. He noted that staff had been proposing that this increase go into effect on October 1, 2001. Therefore, there was time to do some more work to accomplish the economic goals and to achieve fairness in terms of service delivery.

Commissioner Smith suggested that the duplex and triplex rates be restructured, if necessary, instead of such a large decrease in those areas. The City Manager did not think anyone wanted to reduce service levels, but there would be rising costs. Mayor Naugle believed the tipping fees might change, and the method of collection changed to a property-based assessment. Commissioner Smith thought the City should fight the urge to raise set fees whenever possible, and he felt this increase could be fought off.

Commissioner Moore asked how much revenue would be raised by the \$1.50 per single-family house. Mr. House replied that it would generate about \$10 million. Commissioner Moore understood Commissioner Smith was suggesting that a duplex paying \$52.54 per year now with a proposed rate of \$40.16, be charged about \$45 instead as an example. Commissioner Smith agreed that was correct.

Mr. Udvardy understood the Commission wanted to keep the single-family, one cart rate at current levels while reducing the proposed decrease in duplex rates. Commissioner Katz also wanted to know if the \$650,000 Code Enforcement expense could be reduced in some fashion. Mayor Naugle believed the Las Olas Isles neighborhood would rather not have the palm frond collection service rather than be assessed a fee. Commissioner Moore agreed, particularly since the fronds could be collected during the regular monthly bulk collection. He also thought many area residents had lawn services, which could take the fronds with them after doing the yards. Commissioner Moore did not think this was an issue for anyone to be upset about.

**Action:** Staff to bring back revised plan.

## **II-A – Purchasing Contract Extensions/Renewals**

A report was presented on the Purchasing Division's upcoming contract extensions and/or renewals.

Mayor Naugle said he had received complaints about odor related to the Envirocycle/Central bulk trash recycling. He advised that some of the neighbors had concerns about the impacts of that plant. The City Manager stated that staff had recently communicated with those neighbors, and the County was going to be requested to perform air quality sampling. Mayor Naugle asked if this contract extension could be delayed in the meantime. Commissioner Moore supported the idea, particularly since he had mistakenly told someone that this was not on today's agenda. Mayor Naugle thought this could provide an opportunity to allow Envirocycle to quickly resolve the problem rather than having to go out for new bids.

Commissioner Moore wanted the Board Up Service contract rebid. He believed the contract could be split to make the situation more competitive in terms of pricing. Mr. Kirk Buffington, Purchasing Manager, said that there had been difficulties getting competition for board-up service. He stated that some recent interest had been expressed due to community outreach, but the Community Inspections Bureau was happy with the services that had been provided by the current contractor. Mr. Buffington said there had been problems getting any competition at all in the past for this contract, but staff would do whatever it could to generate greater competition.

At 5:17 P.M., Commissioner Smith left the meeting. He returned at 5:19 P.M.

Commissioner Moore referred to pager services. He thought the service seemed very expensive. Mr. Buffington explained that this involved a cooperative contract with Broward County for about 7,000 pagers. He stated that due to consolidation within the communications industry, prices had increased from \$1.95 for a regular Statewide pager to \$3.95. At present, staff was working with the State Department of Purchasing on a single contract for cellular, wireless and pager communication services, and he thought the process might take a year. Mr. Buffington noted that this particular contract extension was for a one-year period. He preferred to extend this contract for one year pending the outcome of the State contract. It was agreed.

**Action:** As discussed.



**III-B – Advisory Board Vacancies**1. Beach Redevelopment Advisory Board

The Commission wished to reappoint Jay Adams, Joanne Johnsen, Steve Tilbrook, John Amodeo, Shirley Smith, George LeMieux, Desorae Giles-Smith, Pamela Adams, Linda Gill, Ina Lee to the Beach Redevelopment Advisory Board.

**Action:** Formal action to be taken at Regular Meeting.

2. Budget Advisory Board

**Action:** Deferred.

3. Cemeteries Board of Trustees

The Commission wanted to reappoint Sharron Navarro, Sandy Casteel, Robert Powers, Franci Bindler, Joe Goldberg, Ned Skiff, Richard Kurtz, and Kent Bogard to the Cemeteries Board of Trustees. Commissioner Hutchinson wished to appoint Susan Telli.

**Action:** Formal action to be taken at Regular Meeting.

4. Code Enforcement Board

The Commission wished to appoint Larry Hayes to the regular position on the Code Enforcement Board, and to appoint Pat Hale as an alternate member.

**Action:** Formal action to be taken at Regular Meeting.

5. Community Appearance Board

Commissioner Smith wanted to appoint Scott A. Greig and George Henderson to the Community Appearance Board. Commissioner Katz wished to reappoint Mirtha Toledo. Commissioner Hutchinson wished to reappoint Ron Trebbi.

**Action:** Formal action to be taken at Regular Meeting.

6. Community Services Board

**Action:** Deferred.

7. Insurance Advisory Board

Commissioner Hutchinson wished to appoint Mark Schwartz to the Insurance Advisory Board.

**Action:** Formal action to be taken at Regular Meeting.

8. Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Mayor Naugle wanted to reinstate David Damerau to this Board.

**Action:** Formal action to be taken at Regular Meeting.

9. Board of Trustees, Police and Firefighters Retirement System

The Board wished to appoint L. Reginald Wagner to the Board of Trustees, Police and Firefighters Retirement System. It was agreed.

**Action:** Formal action to be taken at Regular Meeting.

**OB – Education Advisory Board**

Commissioner Moore felt an additional member should be added to the Education Advisory Board at this critical time. The City Clerk advised that this Board currently had 15 members, with 3 appointed by each of the City Commissioners. She believed an ordinance amendment would be necessary to add a fourth member appointed by each Commissioner.

**Action:** Ordinance to be prepared allowing for up to 4 members to be appointed by each Commissioner.

**IV – City Commission Reports**

1. Police Department Activities

Commissioner Moore had observed police officers issuing traffic tickets for illegal turns in the northwest area. He had noticed that the officers were being very kind to the individuals issued tickets, and he commended the Police Department.

**Action:** None.

2. Special Counsel

Commissioner Moore expressed concern about a potential conflict of interest involved in the merger of Special Counsel Troutman & Sanders with another law firm representing Waste Management, Inc. The City Attorney explained that Troutman & Sanders had wanted to make the City aware of the merger, and he was comfortable that there was no conflict of interest as long as there was no action pending between the City and Waste Management, Inc.

**Action:** None.

3. Small Business Roundtable

Commissioner Moore noted that a Small Business Roundtable was scheduled for late March, and he wished to include Richard Kurtz, Yvonne Grant, Betty Taylor, Bob Young, George Burrows, and Sheryl Dickey. It was agreed.

**Action:** As discussed.

4. Joint Meeting with Nuisance Abatement Board

Commissioner Moore wanted to invite members of the Nuisance Abatement Board to the Commission's next meeting to obtain input about how they felt the Board was operating and any potential improvements. Commissioner Smith believed the membership would be changing soon and suggested a discussion at the first meeting in March. Commissioner Moore preferred to hear from the existing members rather than new members who did not have the same experience. Mayor Naugle pointed out that if Commissioners were planning membership changes, they could invite their candidates to attend the meeting as well.

The City Clerk noted that a joint meeting with the County Commission was scheduled for 1:30 on February 20, 2001. The City Manager expended that to last until about 3:00 or 3:30, when the Conference meeting would commence. Commissioner Moore felt strongly that a discussion with the Nuisance Abatement Board should be scheduled very soon, and Mayor Naugle thought it could be accommodated if the meeting were run more swiftly.

**Action:** Subject to be placed on February 20, 2001 Conference agenda.

5. Dr. Martin Luther King, Jr. Celebration

Commissioner Moore reported that he would be forming a committee to work on the Dr. Martin Luther King, Jr. Celebration, and he asked Commissioners to refer potential members.

**Action:** Commissioners to suggest potential committee members.

6. Maintenance of Beach Restrooms

Commissioner Hutchinson wished to meet with staff about the janitorial services provided at beach restrooms. The City Manager advised that he would refer her to the appropriate staff member to discuss the subject.

**Action:** Commissioner Hutchinson to meet with staff.

7. Tunnel Charrette

Commissioner Hutchinson reported that a charrette would be held in March, while the Commission was away, with respect to the area above the tunnel. She stated that the Rio Vista neighborhood was very excited about this issue, and she understood Pete Sheridan would be representing the City at the charrette. Commissioner Hutchinson hoped the City would be very supportive of this effort.

**Action:** As discussed.

8. Citizen Comment at Regular Meetings

Commissioner Hutchinson wished to kick off a 6-month trial period of allowing public comment at the first Regular Meeting each month in March. She explained that individuals would have to go to the City Clerk or the City Manager to be placed on the agenda, and comment would be allowed for a specific amount of time early in the meeting. At the end of the trial period, results could be evaluated.

Mayor Naugle suggested that individuals be allowed 3 minutes each, for a total of 15 minutes, after the public hearings but before presentation of resolutions and ordinances. It was agreed. Commissioner Moore preferred a 3-month trial period. He advised that he was willing to give the idea a chance, but he had attended meetings at which this was a practice and was not optimistic.

Commissioner Hutchinson asked how people would learn of this pilot program. The City Manager said he would get the word out over the Internet, on Channel 38, and mailed notification to the homeowners and civic associations. Commissioner Smith understood it would be available on a first-come, first-served basis. Mayor Naugle announced that residents could call 761-5006 for placement on the agenda.

**Action:** 3-month trial period to be initiated in March.

9. Fishing from Seven Isles Bridge

Commissioner Hutchinson said she had received a copy of a letter from Derek Anastasia, of Seven Isles, about no fishing from the bridge and the signage. She requested clarification and asked staff to respond to the letter. The City Manager advised that this had been a long-standing issue, and the President of the area Homeowners' Association had not been happy with the response he had received from the City Engineer. He agreed to follow-up.

**Action:** Staff to respond.

10. ULDR/Visioning

Commissioner Katz could see that the visioning process in terms of the ULDR was taking a lot of time. In the meantime, the City was being built up piece by piece, and she wondered if there was a possibility of a consultant being retained to do a rewrite of the ULDR as quickly as possible. She pointed out that the current language of the ULDR was very confusing to everyone, and she thought it was time to make a commitment to do something about it very quickly.

Commissioner Katz asked the City Attorney if the permitted heights of buildings could be significantly reduced along the Intracoastal Waterway and the New River. The City Attorney replied that the Florida Legislature had changed all the rules with the Harris Act and, when an act of government materially affected, limited, or reduced someone's development rights, there was always a risk, and their cities were changing as a result. She was concerned that Fort Lauderdale's waterways were not being protected.

Commissioner Moore did not object to a review, but he was concerned about use of the term "substantial" reduction in height. He was not sure what that meant. Mayor Naugle thought that if there were a way to do it, it would be great. He said he had voted against adoption of the ULDR because he had anticipated these types of problems. Mayor Naugle believed this was harming the City and, if there were a legal way to address the situation without burdening the taxpayers, he would support it.

Commissioner Moore understood that the type of development that worked in the past would not work in the future because of the cost of land and other factors. He pointed out that Fort Lauderdale was not the town it had been 50 years ago. Commissioner Smith thought it would be safer to try to achieve moderate reductions.

The City Attorney had not been aware this subject would be raised today, so his remarks were "off the cuff." However, a standard of reasonableness should be applied whenever any change was contemplated. He believed it was always less risky to take a smaller step than a larger step, particularly when it came to the ULDR because people were not as inclined to feel as if their property rights had been completely eliminated. However, he was not telling the Commission that nothing could be done.

At 5:45 P.M., Commissioner Moore left the meeting. He returned at 5:47 P.M.

Commissioner Smith noted that there was an item on this evening's Regular Agenda with respect to the ULDR and the beach area. He asked if this opportunity could be taken to reduce the height allowed. The City Attorney replied that could not be done because nothing in that regard had been advertised and noticed.

Mayor Naugle believed another thing that was supposed to be on this evening's agenda had been the to include parking garages in the calculations of floor area ratio (FAR). Commissioner Smith wondered what had happened to that issue and why it was not on the agenda. Mayor Naugle said he did not believe there was anyone who liked the ULDR except lawyers. Commissioner Hutchinson agreed it was complicated. Commissioner Smith felt such regulations were complicated by their nature.

Mayor Naugle suggested that Commissioner Katz work with the City Manager on a proposal for future Conference discussion about the issues raised at the ULI meeting. He was interested in how other communities had proceeded.

**Action:** Commissioner Katz to meet with City Manager.

11. Mission Ship Dockage

Mayor Naugle reported that he had received a phone call from Ed Collins about a medical mission ship that would be in town for 2 days. A request for dockage for 2 days had been made, and Mayor Naugle believed there was space available. He asked the City Manager to use his discretion in this regard.

**Action:** City Manager to investigate.

12. Little League at Holiday Park

Commissioner Smith reported that there was a movement toward naming a Little League field at Holiday Park after Mr. Fred Zloch. He understood the movement had been stalled because Mr. Zloch was still alive. Mayor Naugle suggested the subject be placed on the February 20, 2001 Conference agenda.

**Action:** To be scheduled for Conference discussion on February 20, 2001.

13. Mass Transit

Commissioner Smith reported that he and Commissioner Katz had attended a workshop of the Metropolitan Planning Organization (MPO), and it had been very enlightening. He stated that the whole County supported “smart” growth and pedestrian-friendly environments. In addition, pilot projects for a light rail service had been repeatedly raised. Commissioner Katz agreed everyone there favored a focus on mass transportation. Mayor Naugle asked if the FEC initiative had been discussed. Commissioner Smith replied it had not been discussed at the workshop, but there had been a recent newspaper article in that regard.

**Action:** None.

14. Dangerous Dogs

Commissioner Smith presented a video that a citizen had sent him about pit bulls, and he wanted to send it to the State to demonstrate the need for regulating dangerous dogs. He acknowledged that the issue would be controversial, but he thought everyone would support such regulations having seen the video.

**Action:** None.

**V – City Manager Reports**1. Water Restrictions

The City Manager distributed a report with regard to the water restrictions. He reported that the Police Department had responded to 47 calls about water restriction violations, and 39 had been received since the Phase II restrictions had been imposed on January 17, 2001. He stated that most of the violations had involved sprinkler violations. Mayor Naugle asked how many violations had occurred on City property. The City Manager advised that the report did not break out those figures, but staff had been diligent in ensuring that timers had been set properly. He expected Phase III restrictions to be imposed in the future.

**Action:** None.

Meeting adjourned at 5:58 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.